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object was to defeat the proposed plan with the purpose of bringing about a much more radical change, and most of these articles were published for the purpose of showing that the existing system was antiquated, intricate, and inefficient, and also that there were in other states and in England systems that were more simple, more direct, and better adapted to the administration of justice under modern conditions. It is the plans adopted in England, Massachusetts, and Connecticut that are chiefly used as examples for the reform which he insisted should be made in New Jersey.

The courts of New Jersey retain the names and the functions of the old English courts from which they were derived. Equity jurisdiction remains in the Court of Chancery, and common law rights are enforced by several different courts of law. Mr. Hartshorne insists upon the unification of the courts and on doing away with the exclusive division of jurisdiction between district courts, and gives many illustrations from New Jersey cases of delay and failure of justice because a suit begun in one court should have been brought in another or could not be fully determined without resort to another. He makes a tabular comparison of several different judicial systems and gives a clear account of the English courts and their procedure.

To lawyers of New Jersey, familiar with the practical working of their systems, the difficulties stated so earnestly by Mr. Hartshorne appear to be overestimated and his objections theoretical rather than practical. If there are many courts with many ancient names, it is only because the judges in exercising various kinds of jurisdiction are called by the names of the old English courts by which these different jurisdictions were exercised. The bar of New Jersey is not unobservant of the changes that have been made in other states and in England in having one form of procedure and one court for law and equity, but the great majority of its members are firmly convinced by observation of other systems and experience with their own, that both law and equity, so long as the two systems exist with different principles and different remedies, are more safely and more exactly administered by different modes of procedure and by judges specially trained and experienced in the different systems. They do not think it prudent to give the great powers of the chancellor to every county judge. They think it best that counsel should understand the distinction between legal and equitable principles and remedies, and should be careful to know what his rights and remedies are before he brings his suit, and they believe that in practice there is little more delay because of going into the wrong court than because of mistakes in the choice of the remedy.

The proposed amendment to the constitution which Mr. Hartshorne criticised was defeated at the polls, and a new plan has now been suggested by a commission appointed by the governor. The new plan retains the systems of law and equity with separate modes of procedure and trial as heretofore, but it does unify the courts by making one supreme court with several divisions and it does make provision for the transfer of cases from one division to another. By this means it removes the defect in the present system which was the subject of Mr. Hartshorne's most vigorous criticism.

E. Q. K.

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A MANUAL OF THE PRINCIPLES OF EQUITY. By John Indermaur. Sixth Edition. London: Geo. Barber. 1906. pp. xxxii, 597.

This manual is divided into three parts. The first tells about the origin of the Court of Chancery and its substitute effected by the Judicature Act of 1873. In an intervening chapter, twelve "maxims" of equity are stated and briefly illustrated. Part two deals with matters specially assigned by the Judicature Act to the Chancery Division of the High Court, and forms the bulk of the book. The third part devotes about one hundred and fifty pages to some doctrines which originated in equity and are still classed under its jurisdiction, though not covered specially by the statute of 1873. In an appendix, five important English statutes are printed. The book contains, further, a short preface by the editor of this edition, Charles Thwaites; a table of contents; an index of

cases, of statutes, and of the edition of text-books to which any reference is made, and also a full, workable general index.

The book now appears in its sixth edition, — during a life of only twenty years. The present issue differs materially from the fifth only in considerable alterations in three chapters, as also in the insertion of numerous cases and certain statutory changes of the last four years.

Although the author says distinctly that the essence of equity lies in the relief it gives, yet it may be doubted whether the beginner would realize that fact where theory is so briefly handled and so much subordinated to a statement of the English statutory fusion of law and equity in late years. The great merit of the work remains in its excellence as a book of quick reference for the English practitioner. Its use in America might well be considerable to students of civil government, in that here one branch of the present English court structure is admirably treated.

W. S. McN.

**THE POWER TO REGULATE CORPORATIONS AND COMMERCE: A Discussion of the Existence, Basis, Nature, and Scope of the Common Law of the United States.** By Frank Hendrick. New York and London: G. P. Putnam's Sons. 1906. pp. lxxii, 516. 8vo.

One is tempted to say more against this book than it deserves; for the author's method is exasperating indeed. His line of thought is so obscure in itself, and it is so obstructed by extraneous learning which seems to have no relation to the conclusion, that the reader loses his patience in every section.

As nearly as the reviewer can apprehend the meaning of the author (and he must confess that in spite of an epitome of the argument in the preface he would not be surprised to learn that the author means the exact opposite), he argues that corporations are created and allowed to engage in commerce by the common law, without the help of legislation; that the only common law is a law common to the whole United States, and not restricted to any state; that the United States courts have common law jurisdiction to enforce the provisions of this law in the case of all corporations, and that no legislation is required for the regulation by the United States of public service corporations engaged in interstate commerce.

Each one of these assertions is absolutely contrary to law, as every lawyer knows; and a lengthy review of the work or a pointing out of the numerous lesser errors and inconsistencies would be ungracious and useless. The author has gathered a mass of information and has cited many authorities, which he does not use in a very lawyer-like way. The book will be found useful for its collection of authorities, and as a picture of the legal condition of our country if centralization had its perfect work and there were one law extending over the whole United States.

J. H. B.

**SUPPLEMENT TO SNYDER'S INTERSTATE COMMERCE ACT AND FEDERAL ANTI-TRUST LAWS**, embracing the Railway Rate Bill approved June 29, 1906, amending the Commerce Act and Elkins Act; with an introduction and full notes of judicial decisions rendered since the publication of the work in July, 1904; with a reference to the anti-trust laws of the several states. Including also the Employers' Liability Bill, Pure Food Bill, Meat Inspection Bill, and Hall-Mark or Jewellers' Liability Bill. Containing also an index and table of cases. By William L. Snyder. New York: Baker, Voorhis & Company, 1906. pp. xl, 178. 8vo.

This is a supplement to the work by Mr. Snyder which was reviewed in 18 HARVARD LAW REVIEW 241. It is valuable, like the earlier book, chiefly as a convenient collection of late statutes and decisions bearing upon a most interesting, important, and rapidly developing branch of the law. The reviewer has found the original work useful in dealing with questions of interstate commerce, and the supplement seems a necessary addition in view of the recent legislation upon the subject.

H. LE B. S.